

## Remarks

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein. Claims 1, 6, 11, 16 and 35 have been amended. Claims 2, 7, 12 and 34 were previously canceled. No claims have been added or canceled herein. Thus, claims 1, 3-6, 8-11, 13-33 and 35-40 are pending.

### Claim Rejections - 35 U.S.C. § 102(e)

Claims 35-37 were rejected as being anticipated by U.S. Patent No. 6,266,341 issued to Surprenant, et al. (*Surprenant*). For at least the reasons set forth below, Applicants submit that *Surprenant* does not anticipate claims 35-37.

Claim 35 recites:

a plurality of ingress interface cards coupled to the backplane to receive multiple channels of network traffic from external sources, to receive one or more channels of data according to a time division multiplexed (TDM) protocol and one or more channels of data according to a second protocol, to convert the TDM data and the data according to the second protocol to an internal cell format, wherein the cell format comprises one or more slots for TDM traffic, one or more slots for non-TDM traffic and one or more slots for overhead, and to route the channels of data over the backplane using the internal cell format to one or more egress interface cards coupled to the backplane.

Thus, Applicants claim conversion of TDM data and other protocol data to an internal cell format having slots for TDM traffic, non-TDM traffic and overhead for transmission over a backplane.

*Surprenant* discloses communication of TDM data over a bus, but not conversion of TDM data and other protocol data to an internal cell format for transmission. Therefore *Surprenant* does not disclose the invention as claimed in claim 35.

Claims 36 and 37 depend from claim 35. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 36 and 37 are not anticipated by *Surprenant* for at least the reasons set forth above.

Rejection of Claims 1, 3-5, 11, 13-20 and 23 Under 35 U.S.C. § 103(a)

Claims 1, 3-5, 11, 13-20 and 23 were rejected as being unpatentable over U.S. Patent No. 6,266,341 issued to Surprenant, et al. (*Surprenant*) in view of U.S. Patent No. 6,226,287 issued to Brady (*Brady*).

Claim 1 recites:

a backplane to carry data traffic of multiple types using a single, internal cell format; and

a plurality of interface cards coupled to the backplane, the interface cards coupled to receive multiple channels of network traffic from external sources, the plurality of interface cards to receive one or more channels of data according to a time division multiplexed (TDM) protocol and one or more channels of data according to a second protocol, the interface cards to convert data received according to the TDM protocol and the data received according to the second protocol to the internal cell format and to route the channels of data over the backplane using the single internal cell format to one or more predetermined interface cards coupled to the backplane within the network switch, wherein the cell format comprises one or more slots for TDM traffic, one or more slots for non-TDM traffic and one or more slots for overhead.

Thus, Applicants claim converting incoming data to a single internal cell format for transmission over a backplane.

Neither *Surprenant* nor *Brady* teach or suggest conversion to an internal cell format having slots for TDM traffic and non-TDM traffic to route channels of data including TDM data and a second protocol within a switch. *Surprenant* discloses bridging traffic according to multiple protocols. See Abstract. However, *Surprenant* discloses a separate bus for each protocol type. Specifically, *Surprenant* discloses

...communications system 50 includes at least three (3) separate types of busses, e.g., TDM bus 78, packet bus 80A (or 80B), etc., and control bus 92, etc.

See col. 10, lines 10-14. Therefore, **Surprenant teaches away** from the invention as claimed in claim 1.

*Brady* is cited to teach receiving multiple protocols on a single card. However, *Brady* does not teach or suggest transmitting data received according to multiple protocols over a backplane using a single format. Therefore, *Brady* does not cure the deficiencies of *Surprenant* and no combination of *Surprenant* and *Brady* can teach or suggest the invention as claimed in claim 1.

Claims 3-5, 20 and 23 depend from claim 1. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 3-5, 20 and 23 are not rendered obvious by *Surprenant* and *Brady* for at least the reasons set forth above.

Claim 11 recites:

converting the TDM data and the second protocol data to an internal cell format, wherein the cell format comprises one or more slots for TDM traffic, one or more slots for non-TDM traffic and one or more slots for overhead...

Similarly, claim 16 recites:

means for converting the TDM data and the second protocol data to an internal cell format, wherein the cell format comprises one or more slots for TDM traffic, one or more slots for non-TDM traffic and one or more slots for overhead...

As discussed above, Applicants claim converting incoming data.

Because *Surprenant* discloses different buses for different types of traffic, *Surprenant* cannot teach or suggest converting TDM data and the second protocol data to

an internal cell format. *Brady* is cited to teach receiving multiple protocols on a single card. However, *Brady* does not teach or suggest converting TDM data and the second protocol data to an internal cell format. Therefore, *Brady* does not cure the deficiencies of *Surprenant* and no combination of *Surprenant* and *Brady* can teach or suggest the invention as claimed in claims 11 and 16.

Claims 13-15 depend from claim 11. Claims 17-19 depend from claim 16.

Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 13-15 and 17-19 are not rendered obvious by *Surprenant* and *Brady* for at least the reasons set forth above.

Rejection of Claims 6, 8-10 and 26 Under 35 U.S.C. § 103(a)

Claims 6, 8-10 and 26 were rejected as being unpatentable over *Surprenant* in view of *Brady* and further in view of U.S. Patent No. 5,953,329 issued to Degges, et al. (*Degges*).

Claim 6 recites:

a backplane interface to transmit and receive data over a backplane using a single, internal cell format, wherein the cell format comprises one or more slots for TDM traffic, one or more slots for non-TDM traffic and one or more slots for overhead;

...

conversion circuitry to convert the TDM data and the second protocol data to the internal cell format; and

Thus, Applicants claim a circuit that converts TDM data and other protocol data to an internal cell format for transmission over a backplane.

As mentioned above, no combination of *Surprenant* and *Brady* teaches or suggests conversion of TDM data and other protocol data to an internal cell format.

*Degges* is cited to teach a time slot manager. However, whether or not *Degges* discloses a time slot manager, *Degges* does not cure the deficiencies of *Surprenant* and *Brady*. Therefore, no combination of *Surprenant*, *Brady* and *Degges* can teach or suggest the invention as claimed in claim 6.

Claims 8-10 and 26 depend from claim 6. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 8-10 and 26 are not rendered obvious by *Surprenant*, *Brady* and *Degges* for at least the reasons set forth above.

Rejection of Claims 21, 22, 24, 25, 29, 31 and 32 Under 35 U.S.C. § 103(a)

Claims 21, 22, 24, 25, 29, 31 and 32 were rejected as being unpatentable over *Surprenant* in view of *Brady* and further in view of U.S. Patent No. 6,407,997 issued to DeNap, et al. (*DeNap*). Claims 21, 22, 24, 25 and 29 depend from claim 1. Claim 31 depends from claim 11 and claim 32 depends from claim 16. *DeNap* is cited to teach used of optical signals. However, *DeNap* does not cure the deficiencies of *Surprenant* and *Brady*. Therefore, no combination of *Surprenant*, *Brady* and *DeNap* teaches or suggests the invention as claimed in claims 21, 22, 24, 25, 29, 31 and 32.

Rejection of Claims 27, 28 and 30 Under 35 U.S.C. § 103(a)

Claims 27, 28 and 30 were rejected as being unpatentable over *Surprenant* in view of *Brady* and further in view of *Degges* and *DeNap*. *Degges* discloses a switching matrix for T1 frames. See col. 4, lines 5-10. *Degges* discloses use of only T1 frames. Therefore, *Degges* does not teach or suggest conversion of TDM data and second protocol data to an internal cell format. *DeNap* is cited to teach used of optical signals.

T1 frames can be carried as optical signals. Therefore, no combination of *Surprenant*, *Brady*, *Degges* and *DeNap* teaches or suggests the invention as claimed in claims 27, 28 and 30.

Rejection of Claim 33 Under 35 U.S.C. § 103(a)

Claim 33 was rejected as being unpatentable over *Surprenant* in view of *Brady* and further in view of U.S. Patent No. 5,541,921 issued to Swenson, et al. (*Swenson*). *Swenson* is cited to teach a plurality of buffers to interface a backplane. However, *Swenson* is not cited to teach, nor does *Swenson* teach or suggest conversion of TDM traffic and second protocol data to an internal cell format. Therefore, *Swenson* does not cure the deficiencies of *Surprenant* and *Brady*. Accordingly, no combination of *Surprenant*, *Brady* and *Swenson* can teach or suggest the invention as claimed in claim 33.

Rejection of Claim 34 Under 35 U.S.C. § 103(a)

Claim 34 was rejected as being unpatentable over *Surprenant* in view of *Brady* and further in view of *Degges* and *Swenson*. Claim 34 was previously canceled. Therefore, the rejection of claim 34 is moot.

Rejection of Claims 38-40 Under 35 U.S.C. § 103(a)


Claims 38-40 were rejected as being unpatentable over *Surprenant*. Claims 38-40 depend from claim 35, which has been discussed above as not being anticipated by *Surprenant*. The Office Action alleges that the various limitations of claims 38-40 would have been obvious in view of *Surprenant*. Applicants respectfully disagree that the

limitations of claims 38-40 would have been obvious in view of *Surprenant*. As discussed above, *Surprenant* fails to teach or suggest conversion of TDM data and other protocol data to an internal cell format for transmission over a backplane. Therefore, *Surprenant* cannot teach or suggest the invention as claimed in claims 38-40.

Conclusion

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1, 3-6, 8-11, 13-33 and 35-40 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,  
**BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP**

Date: Oct 25, 2004   
Paul A. Mendonsa  
Attorney for Applicant  
Reg. No. 42,879

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, CA 90025-1026  
(503) 684-6200